

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KSURE NEW YORK CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	
)	
RICHMOND CHEMICAL CORPORATION,)	Case No. 1:12-CV-09536
)	Honorable Young B. Kim
Defendant.)	
)	
)	
)	
)	

PLAINTIFF’S MOTION TO REOPEN CASE AND APPROVE CONSENT JUDGMENT ORDER

Plaintiff, through undersigned counsel, hereby moves to reopen the above-captioned case and for approval of a consent judgment order, on the following grounds:

1. On or about April 16, 2013, the Parties agreed to settle the above-captioned action, which provided for installment payments to be made from the Defendant to the Plaintiff, as reflected in a settlement agreement (“OSA”), attached hereto as Exhibit No. 1. The OSA, paragraph 3, provides that “[this Court] retain[s] jurisdiction over the Lawsuit in the event there is a breach of this Settlement Agreement by [Defendant].”
2. Further, and pursuant to the Stipulated Order of Voluntary Dismissal Without Prejudice, “This Court shall retain jurisdiction over this matter for purposes of enforcing [the] Consent Judgment Order. . .” (Dkt. No. 34).

3. Defendant paid the first installment payment on or about April 25, 2013, in the amount of \$2,000, but failed to make the second payment due on May 10, 2013. Pursuant to the terms of the OSA, Plaintiff provided written notice of default to Defendant on May 24, 2013, attached hereto as Exhibit No. 2.
4. Contemporaneously with the execution of the OSA, Defendant agreed to a consent judgment order ("CJA") for outstanding monies owed, to be entered with the Court in the event of a payment default. The CJA is attached hereto as Exhibit No. 3.
5. On or about May 31, 2013, the parties entered into a second settlement agreement, which provided for a revised payment plan ("SSA"). The SSA provides that, "In the event that [Defendant] fails to make payment pursuant to paragraph 1 [of the SSA], [Plaintiff] shall have the right to enforce its rights under paragraph 4 of the OSA including entering the Consent Judgment Order with the Court]. The SSA is attached hereto as Exhibit No. 4.
6. On or about June 16, 2013, Defendant paid \$100,000 to Plaintiff pursuant to the SSA, and made 2 additional payments to Plaintiff, each in the amount of \$5,000, on or about July 23, 2013 and July 29, 2013.
7. As no further payments have been made and Defendant is in default of the SSA, Plaintiff is entitled pursuant to paragraph 4 of the SSA to enter the CJA.

WHEREFORE, Plaintiff hereby moves this Court to reopen the case, enter judgment against Defendant, and approve the CJA, including awarding statutory post-judgment interest.

Dated: August 13, 2013

By: /s/ M. Zachary Bluestone
M. Zachary Bluestone
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Ksure New York Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August 2013, a copy of the foregoing Plaintiff's Motion to Reopen Case and Approve Consent Judgment Order, was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, which includes counsel for Defendant.

/s/ M. Zachary Bluestone
M. Zachary Bluestone